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9 Attorneys for Plaintiff *Deutsche Bank National Trust Company, as Trustee for Morgan Stanley*  
10 *Home Equity Loan Trust 2006-1*

11  
12 **UNITED STATES DISTRICT COURT**  
13 **FOR THE DISTRICT OF NEVADA**

14 DEUTSCHE BANK NATIONAL TRUST  
15 COMPANY, AS TRUSTEE FOR MORGAN  
16 STANLEY HOME EQUITY LOAN TRUST  
17 2006-1, a national bank,

18 Plaintiff,

19 vs.

20 PEPPERTREE HOMEOWNERS  
21 ASSOCIATION, a Nevada corporation; TOW  
22 PROPERTIES, LLC V, a Nevada non-profit co-  
23 op corporation,

24 Defendants.

25 TOW PROPERTIES, LLC V, a Nevada non-  
26 profit co-op corporation,

27 Counterclaimant,

28 vs.

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR MORGAN  
STANLEY HOME EQUITY LOAN TRUST  
2006-1, a national bank; PEPPERTREE  
HOMEOWNERS ASSOCIATION, a Nevada  
corporation,

Counter-defendants.

**Case No.: 2:18-CV-00619-KJD-NJK**

**STIPULATION AND ORDER TO  
DISMISS TOW PROPERTIES, LLC, V**

1 Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff, Deutsche Bank National Trust  
2 Company, as Trustee for Morgan Stanley Home Equity Loan Trust 2006-1 (hereinafter “Deutsche  
3 Bank”) and Defendant Tow Properties, LLC V (hereinafter “Tow Properties”) (collectively, the  
4 “Parties”), by and through their respective counsel of record, hereby stipulate as follows:

- 5 1. On April 6, 2018, Plaintiff Deutsche Bank filed its Complaint in this action naming  
6 Peppertree and Tow Properties, LLC V as defendants related to a homeowners association  
7 foreclosure sale of real property located at 1865 Avacado Court, Henderson, NV 89014;  
8 (APN: 178-05-614-036) (hereinafter “Property”).
- 9 2. Deutsche Bank’s claims against Peppertree were dismissed by way of Stipulation and  
10 Order filed on February 27, 2019. [ECF No. 36].
- 11 3. On May 14, 2018, Tow Properties filed a Counterclaim against Deutsche Bank and  
12 Peppertree. [ECF No.11}
- 13 4. The Parties hereby agree that Deutsche Bank’s claims against Tow Properties shall be  
14 dismissed with prejudice.
- 15 5. Deutsche Bank asserts that it does not have a current ownership interest in the title of the  
16 Property.

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6. This dismissal does not affect any rights, claims or defenses of Deutsche Bank or Tow Properties with respect to any other party related to the foreclosure sale of the Property.

**IT IS SO STIPULATED.**

DATED this 11th day of June, 2019.

**ZIEVE, BRODNAX & STEELE, LLP**

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Morgan Stanley Home Equity Loan Trust  
2006-1*

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*Attorney for Defendant Tow Properties,  
LLC V*

**Case No.: 2:18-cv-00619-KJD-NJK**

**ORDER**

Based on the foregoing stipulation, and good cause appearing,

**IT IS ORDERED** that Defendant TOW PROPERTIES, LLC V is hereby dismissed from this case with prejudice.

**IT IS FURTHER ORDERED** that Plaintiff DEUTSCHE BANK has no interest in the title of the Property.

**IT IS FURTHER ORDERED** that each party shall bear its own attorneys' fees and costs.

1           **IT IS FURTHER ORDERED** that this dismissal does not affect any rights, claims or  
2 defenses of Plaintiff DEUTSCHE BANK or TOW PROPERTIES, LLC V with respect to any  
3 other party related to the foreclosure sale of the Property.

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5                                   **IT IS SO ORDERED.**

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8                                   DATED this 14<sup>th</sup> day of June 2019.

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12                                   U.S. DISTRICT COURT JUDGE

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14           Respectfully submitted:

15           ZIEVE, BRODNAX & STEELE, LLP

16           /s/J. Stephen Dolembro, Esq. \_\_\_\_\_

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22           Attorneys for Plaintiff

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